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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,284	12/21/2001	Ling Chen	APPM/5192/02/CPI/COPPER/P	4034

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APPLIED MATERIALS, INC.
2881 SCOTT BLVD. M/S 2061
SANTA CLARA, CA 95050

EXAMINER

MOORE, KARLA A

ART UNIT	PAPER NUMBER
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1763

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 10/032,284	Applicant(s) CHEN ET AL.	
	Examiner Karla Moore	Art Unit 1763	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 30-33, 35-40 and 46-48.

Claim(s) rejected: 1-14, 16-27, 29, 34, 41, 42, 44, 45, 49-51, 53-74 and 106-129.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

P. Hassanadad
Primary Examiner
AU 1763

Continuation of 5. does NOT place the application in condition for allowance because:

With respect to Applicant's arguments regarding the rejection of claims using a combination of Tarutani and Okayama, Examiner disagrees with Applicant's characterization of the Okayama. Specifically, Examiner points out that the bottom surface of the structure does in fact include tapering, as is clearly shown in Figure 2. Examiner recognizes that there is a portion of the bottom surface that is not tapered, but the portion thereof extending from a gas supplying structure is tapered as claimed. Examiner does not agree that the passage pointed out shows "containment" of the tapering in the through hole as alleged. Examiner also points out that the the pending claims do not specify the extent of tapering (i.e. what portion/percentage/amount of the bottom surface is actually tapered). Okayama discloses a tapered bottom surface and teaches advantages and motivation for providing such a surface in an apparatus such as Tarutan Tarutani discloses a bottom surface that extends from an expanding channel to a peripheral portion of a covering member.

With respect to Applicant's arguments regarding the rejection of claims using a combination of Raajimaakers and Ikeda, Examiner disagrees with Applicants characterizations of Ikeda. Contrary to Applicants characterization, Ikeda discloses a two-part expanding channel. It is an expanding channel because the volume of the channel increases along the length of the structure, allowing a gas to expand, similar to the expanding channel of the claimed invention. Further, regarding Applicant's arguments on how the term "angle" was interpreted in examination of the claims with respect to Ikeda, specifically claims 64 and 65. As pointed out in the final rejection, the conduit in Ikeda is provided normal. This is an angle. Similarly a conduit positioned at 0 degrees or 360 degrees is at an angle as recited in Applicant's claims which do not provide for a specific range. Examiner has reviewed paragraph 37 as recommended in Applicant's remarks. The first sentence of paragraph 37 reads "Each gas conduit and gas inlet may be positioned in any relationship to a longitudinal axis of the expanding channel". The paragraph goes on to teach PREFERRED positioning. If Applicant would like to limit the claimed invention to these preferred positions, amendments to the claims to explicitly point out these ranges is recommended.

Continuation of 10. Other:

The Information Disclosure Statement filed along with reconsideration request was not considered because it was not in adherence with 37 CFR 1.97--neither of the appropriate statements (provided in section e) required for a filing under section d (procedures/rules for filing after a final rejection) were provided.